

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

The Hon'ble Mr. Sayeed Ahmed Baba, Member (Admn.)

Case No. –OA 426 of 2020

Sabitri Das - **VERSUS** - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>08</u> 25.01.2022	For the Applicant	: Mr. G. P. Banerjee, Mr. A.K. Das Sinha, Advocates.
	For the State Respondent	: Mr. S. Ghosh, Advocate.

Let affidavit of service filed on 24th January, 2022 be kept on record.

In this application, Sabitri Das, the applicant has prayed for several reliefs, the relevant portion of which is as under :

“a) An order directing the respondents to pay or allow the death-cum-benefits in favour of the applicant forthwith.

b) An order directing upon the respondents to pay the amount of G.P.F., Gratuity, leave encashment and arrear of salary etc. in favour of the applicant as early as possible.”

It appears that Prafulla Kumar Das, the husband of the applicant was an employee under the Directorate of Fisheries, Government of West Bengal, who expired on 23rd February, 2020 leaving behind the applicant, the wife and Mamani Das and Kumar Sabita Das, the daughters. It appears that the marriage of Sabitri Das and Prafulla Kumar Das was solemnised on 20th June, 1986 which was registered on the said date. It is appropriate to mention earlier Prafulla Kumar Das was married to Chapala Rani Das. Prafulla Kumar Das filed Mat. Suit No. 40 of 1982 for praying for divorce. The Learned District Judge of Nadia by judgment dated 29th November, 1982 granted mutual divorce and the decree of divorce was passed declaring that the marital tie between Prafulla Kumar Das and Chapala Rani Das stood dissolved with effect from 29th November, 1982. It is evident that the applicant has prayed for a direction upon the State respondents to allow the arrear salary of late Prafulla Kumar Das and death-cum-retiral benefits and other superannuation benefits. It appears though a copy of the original application was served on Chapala Rani Das, the private

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respondent no. 5, as evident from the affidavit of service filed on 18th November, 2020 she has not entered appearance.

Mr. S. Ghosh, learned advocate appearing on behalf of the State respondents submits that if directed the respondents will release the death-cum-retiral benefits and other superannuation benefits and arrear of salary of late Prafulla Kumar Das at the earliest.

Having heard learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Deputy Director of Fisheries (Research and Training), FFRTC, Kulia, Nadia, the respondent no. 3 to disburse the arrear salary, if any, death-cum-retiral benefits and other superannuation benefits of late Prafulla Kumar Das in favour of Sabitri Das within a period of fifteen weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal upon compliance of all formalities, if any.

(SAYEED AHMED BABA)
Member (A)

(SOUMITRA PAL)
CHAIRMAN

CSM/HS/SS